

Express Mail Label No.: EK005153989US

Date of Deposit: February 8, 2002

PATENT APPLICATION

Attorney Docket No. 21402-099 (Cura-399)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS : Burgess et al.
SERIAL NUMBER : 09/939,853 / EXAMINER : Not Yet Assigned
FILING DATE : August 27, 2001 ART UNIT : 1646
FOR : NOVEL PROTEINS AND NUCLEIC ACIDS ENCODING SAME

BOX MISSING PARTS

Assistant Commissioner for Patents
Washington, D.C. 20231

TRANSMITTAL LETTER

Transmitted herewith in response to the November 5, 2001, Notice of Missing Parts, in the present application are the following documents:

1. Copy of NOTICE OF MISSING PARTS form (2 pages);
2. Response to Notice of Missing Parts; (1 page)
3. Declaration and Power of Attorney (3 Declarations, 5 pages each, 15 total pages)
4. Sequence Listing (172 pages);
 - a. Statement in Support of CRF (1 page);
 - b. Electronic Copy (1 disk);
5. Preliminary Amendment (3 pages);
6. Check in the amount of \$130.00 (#11612);
7. Petition for Two-Month Extension of Time;
8. Check in the amount of \$400.00 (#11613); and
9. Return Postcard.

Applicants believe the Response to Notice of Missing Parts is due on or before March 5, 2002, with the two-month extension. The enclosed checks are to cover the \$130.00 (#11301) surcharge for filing Missing Parts and the \$400.00 (#11613) for the Two-Month Extension of Time. Although Applicants believe that no further fees are due in connection with this submission, the Commissioner is authorized to credit any overpayment or charge any deficiencies to Deposit Account No. 50-0311, Reference No. 21402-099 (Cura-399). A duplicate copy of this transmittal letter is enclosed.

Respectfully submitted,

Dated: February 8, 2002



30623

PATENT TRADEMARK OFFICE

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TRA 1613931v1

Express Mail Label No.: EK0051539891/S
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Attorney Docket No. 21402-099 (CURA-399)

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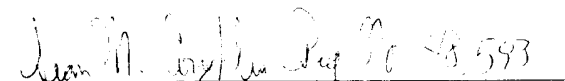
RESPONSE TO NOTICE TO FILE MISSING PARTS

In response to the Notice To File Missing Parts mailed November 5, 2001, Applicants submit herein executed Combined Declaration and Powers of Attorneys; payment of the surcharge of \$130.00 as set forth in 37 C.F.R. §1.16(e); a copy of Notice to File Missing Parts, Sequence Listing; Statement in Support of CRF; electronic copy of Sequence Listing (1 diskette); Preliminary Amendment; Petition for Two-Month Extension of Time; and payment of the Two-Month Extension of Time of \$400.00. This response is due on or before March 5, 2002, with a two-month extension.

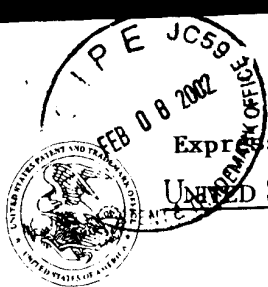
The Commissioner is authorized to charge any additional fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-0311, Reference No. 21402-099 (CURA-399).

Respectfully submitted,

Date: February 8, 2002


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TRA 1627657v1



Express Mail No.: EK005153989US

Mailed: 2/8/02

UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/939,853	08/27/2001	Catherine E. Burgess	21402-099 (CURA-399)

KEK
MINTZ, LEVIN, COHN, FERRIS,
GLOVSKY and POPEO, P.C.
One Financial Center
Boston, MA 02111

<input checked="" type="checkbox"/> Data Entry	Done By <u>Jem</u>
<input checked="" type="checkbox"/> Docket Entry	
<input type="checkbox"/> Docket Cross Off	
<input type="checkbox"/> Previously Entered	<u>1/5/01</u>
<input type="checkbox"/> No Docketing Req.	<u>6/5</u>
<input type="checkbox"/> ELITE	
<input type="checkbox"/> Annuities	

CONFIRMATION NO. 3236

FORMALITIES LETTER



OC000000007023614

Date Mailed: 11/05/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION RECEIVED

FILED UNDER 37 CFR 1.53(b)

NOV 08 2001

Filing Date Granted

MINTZ LEVIN, BOSTON
PATENT DOCKET DEPT.

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**
- This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at

patin21help@uspto.gov or patin3help@uspto.gov

A copy of this notice MUST be returned with the reply.



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE